

107TH CONGRESS
2D SESSION

H. CON. RES. 427

Expressing the sense of the Congress regarding the imposition of trade sanctions on nations that are undermining the effectiveness of conservation and management measures for Atlantic marlin adopted by the International Commission for the Conservation of Atlantic Tunas and that are threatening the continued viability of United States commercial and recreational fisheries.

IN THE HOUSE OF REPRESENTATIVES

JUNE 26, 2002

Mr. GILCHREST (for himself, Mr. JONES of North Carolina, and Mr. SAXTON) submitted the following concurrent resolution; which was referred to the Committee on Resources

CONCURRENT RESOLUTION

Expressing the sense of the Congress regarding the imposition of trade sanctions on nations that are undermining the effectiveness of conservation and management measures for Atlantic marlin adopted by the International Commission for the Conservation of Atlantic Tunas and that are threatening the continued viability of United States commercial and recreational fisheries.

Whereas some fishing vessels of member and nonmember nations of the International Commission for the Conservation of Atlantic Tunas (hereinafter referred to as the “Commission”) fishing in the Commission regulatory area have not complied with Commission resolutions pro-

moting the live release of Atlantic marlin and the rebuilding of Atlantic blue marlin and white marlin populations;

Whereas repeated violations of Commission recommendations by fishing vessels of Commission member and non-member nations undermine the effectiveness of the Commission to establish, maintain, and enforce conservation and rebuilding plans for overfished species of fish that are under the Commission's management authority;

Whereas failure of Commission member nations to enforce reductions in Atlantic marlin landings and other conservation measures threatens the continued viability of United States commercial and recreational fishing industries;

Whereas the continued importation into the United States of fish and fish products from nations that are not in compliance with Commission resolutions to protect Atlantic white marlin and other fish species indicates United States complicity in continued overfishing;

Whereas the Commission has adopted a resolution that further defines the scope of illegal, unregulated, and unreported fishing activities by large-scale longline vessels in the Commission regulatory area; and

Whereas such resolution includes provisions directing Commission member and nonmember nations to take every possible action, consistent with relevant laws, to instruct their importers, transporters, and other concerned business people to refrain from engaging in transaction and transshipment of tunas and tuna-like species from vessels that engage in illegal, unregulated, and unreported fishing activities, including vessels that engage in any fishing that is not in compliance with relevant Commission con-

servation and management measures: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
 2 *concurring)*, That it is the sense of Congress that the
 3 President should—

4 (1) direct the United States Commissioners to
 5 the International Commission for the Conservation
 6 of Atlantic Tunas (in this resolution referred to as
 7 the “Commission”) to make Atlantic marlin con-
 8 servation their highest priority;

9 (2) encourage countries that fish in the Com-
 10 mission regulatory area to make every effort to end
 11 illegal, unregulated, and unreported fishing, includ-
 12 ing any fishing that is not in compliance with rel-
 13 evant conservation recommendations adopted by the
 14 Commission especially with regard to Atlantic marlin
 15 mortality;

16 (3) make full use of all appropriate diplomatic
 17 mechanisms, relevant international laws and agree-
 18 ments, and other appropriate mechanisms to ensure
 19 Commission member compliance with conservation
 20 recommendations for all species under the Commis-
 21 sion’s management authority, including Atlantic
 22 marlin;

23 (4) encourage the Commission to adopt con-
 24 servation recommendations authorizing the use of

1 enforceable measures, including World Trade Orga-
2 nization-consistent trade measures, to prevent such
3 nations that fish in the Commission regulatory area
4 from taking actions that would undermine the effec-
5 tiveness of conservation recommendations of the
6 Commission; and

7 (5) if any vessel of a nation fishes in the Atlan-
8 tic Ocean without complying with the conservation
9 recommendations adopted by the Commission, such
10 fishing should be considered to diminish the effec-
11 tiveness of international fishery conservation rec-
12 ommendations and, therefore, such nation should be
13 considered to be subject to the import embargo pro-
14 visions in section 6(c)(4) and (5) of the Atlantic
15 Tunas Convention Act of 1975 (16 U.S.C.
16 971d(c)(4) and (5)) and certifiable under section
17 8(a)(1) of the Fishermen's Protective Act of 1967
18 (22 U.S.C. 1978 (a)(1)).

○